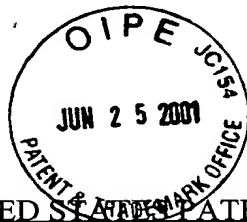


Docket No: 0057-2511-2YY



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

SHUUICHI UENO ET AL :

EXAMINER: LOKE, S.

SERIAL NO.: 09/395,184 :

FILED: SEPTEMBER 14, 1999 :

GROUP ART UNIT: 2811

FOR: SEMICONDUCTOR DEVICE AND
MANUFACTURING METHOD THEREOF

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the outstanding Office Action of April 24, 2001, Applicants elect the invention of Ninth embodiment and Figure 24 with traverse. Claims 1, 2, 4, and 5 are believed to read on the elected species, and Claim 1 is generic to all the noted species.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application no undue burden has been established if each of the species and claims were examined together.

Respectfully submitted,
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Re: U.S. Application
Serial No: 09/395,184
Filed: September 14, 1999
Group: 2811
Inventor: SHUICHI UENO, ET AL.
For: SEMICONDUCTOR DEVICE AND
MANUFACTURING METHOD THEREOF

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT
PETITION FOR EXTENSION OF TIME

Our check in the amount of \$110.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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